

**Paducah Gaseous Diffusion Plant
Citizens Advisory Board
Meeting Minutes
May 16, 2002**

The May 16, 2002, Citizens Advisory Board (CAB) meeting was held at the Environmental Information Center in Paducah, Kentucky, at 6:00 p.m.

Board members present: Mark Donham, Vicki Jones, Merryman Kemp, Ricky Ladd, Linda Long, Douglas Raper, John Russell, Rosa Scott, John Tillson, and Gregory Waldrop.

Board members absent: Nola Courtney, Judy Ingram, Ronald Lamb, Rebecca Lambert, Craig Rhodes, Jim Smart, and Bill Tanner.

***Ex Officio* members and related regulatory agency employees present:** Gaye Brewer and Tuss Taylor, Kentucky Division of Waste Management (KDWM).

The Deputy Designated Federal Official present: Don Seaborg.

The DOE Federal Coordinator present: Pat Halsey.

DOE-related employees present: Judith Bradbury, Kristi Branch, Greg Cook, Gordon Dover, Jim Ethridge, Bruce Gardner, Jill Holder, Craig Jones, Steve Kay, Lynn Link, Tara Troutman, and Glenn Van Sickle.

Public: Ruby English, Mary Hall, Charles Jurka, Vicki Jurka, Al Puckett, and Andrew Smith.

Agenda

Kay called the meeting to order.

Donham said that Edward Duff, a former member of the board, had passed away earlier in the week and members could make a donation to the American Cancer Society.

Kay proposed to add the board self-evaluation form to the agenda. **The Board approved the modified agenda by consensus.**

Minutes

Kay asked if there were any modifications to the April draft minutes. **The Board approved the minutes by consensus.**

Deputy Designated Federal Official's Comments

Budget

Seaborg said negotiations between agencies continue regarding the budget. He asked the board to contact Link or Young if they would be able to attend the May 20, 2002, interactive videoconference with Assistant Secretary Jessie Roberson.

ES&H Issues

Seaborg said workers at the C-612 building, the building that contains treatment steps for the Northwest Plume pump and treat system, were sprayed with water from a tank. The tank contained technetium-99.

A third tank was found in the K-Cylinder Yard. However, this appears to be an old septic tank, rather than an oil tank. Workers are completing sampling procedures on the tank.

Project Updates

Seaborg indicated the updates were included in the board packets. Seaborg added that the recent weather has made it difficult to complete work.

Workers will soon begin work on a time critical removal action on sulfuric acid tanks located north of the C-410 Complex. Slides of the tank were shown to the board.

Seaborg said the Department of Energy (DOE) is completing process-knowledge reviews for existing waste types. The review utilizes the history of operations activities in determining the chemicals used, managed and disposed. DOE has received a contained-in determination approval from the State of Kentucky and the Environmental Protection Agency (EPA).

DOE is also completing a process-knowledge review for Outfall 11.

Recommendation Status:

The answer to the CAB Site-Wide Sediment Control Recommendation will be included in the Top-To-Bottom review. Seaborg said he would provide information as it becomes available.

There is an initial response from DOE regarding the Sewer Rehabilitation Repair recommendation. The response will be mailed to members.

The membership packet is now at the headquarters office.

Questions

There were no questions from the board.

Ex-Officio comments

Taylor said he is looking towards getting work started once again. He said the State of Kentucky, EPA, and DOE were scheduled to discuss ongoing negotiations. The meeting was cancelled and he has not heard about a new date for the meeting.

Brewer said Froede could not be at the CAB meeting due to a conflict. Taylor asked if the ex-officio members currently owe the board or task forces any information.

Donham said some sites have plans underway to get part of the \$800 million fund. He asked if anyone was tracking where the money would be spent. Donham said he was aware that Washington and Tennessee have signed letters of intent. Taylor said Ohio has signed a letter of intent. Donham said New Mexico had signed a letter. Halsey will pursue the status of the accelerated cleanup fund and determine which sites have actually signed the letter of intent.

Public Comments

Jurka asked about the public meeting for the Uranium Materials Programmatic Environmental Assessment and the related document. Halsey said the document would be released the last week of May.

Donham asked what uranium material the document referred to. Seaborg said the material was uranium that had been allocated to places, such as universities, throughout the United States.

Action Items

Seaborg said the release date for the Site-Wide Sediment Controls Strategy has not been determined. He said the C-746-U Landfill well data would soon be available.

Link said she is working with Courtney to develop a more comprehensive membership application.

Halsey said there have been occasions where DOE has condemned property and some property has been purchased. She said Formerly Utilized Sites Remedial Action Program (FUSRAP) is a potential area to pursue and investigate the history of awarding damages.

Dover said FUSRAP used a jacking mechanism to eliminate contamination under buildings and damaged some property in the process. This could have been the reason for the property damage compensation.

Tillson asked about the status of his request for blueprints. Seaborg said the blueprints have been pulled and the process is ongoing to fulfill the request.

Donham said the Community Concerns Subcommittee has not yet created a survey for residents.

Halsey said the SIU students scheduled to make presentations at the June meeting would receive per diem for their travel expenses.

Presentations

Long Range Strategy/Stewardship Task Force Letters

Raper said the task force would like to request the board's approval for sending letters to both Jessie Roberson and William Murphie. The letters state the CAB's frustration with the lack of public involvement in the budget process, and request that the CAB be involved earlier in DOE's decision-making process. He asked the board to review the two proposed letters and suggest to whom the letters should be copied, if approved.

Taylor suggested the letters be copied to the Kentucky Division of Waste Management, all ex officio members, the governor's office, Senator Mitch McConnell, and Don Seaborg. Halsey suggested copying the letter to the regional EPA office. Other suggestions included Congressman Ed Whitfield, Gerald Boyd, Mike Holland, Jimmy Palmer (EPA), and management of the Kentucky Department for Environmental Protection. Link will prepare draft letters for the June meeting incorporating the above recipients.

Raper distributed copies of a letter that was initiated at the chairs conference. Donham said he was unclear about the accelerated risk reduction mentioned in the letter, and asked who had already signed the letter. Raper said all of the chairs have not yet signed the letter, but he will determine the chairs that have signed and report to the board.

Tillson said the fifth paragraph of the Murphie letter was worded too strongly regarding the regulatory agencies. Raper asked Tillson to e-mail new draft language to him. Kay said that all three of the letters would be on the June agenda for the board's decision.

Water Task Force Report

In the chairman's absence, Link indicated that the minutes were in the packet. Taylor said he had tried to call to participate in the meeting. Link apologized and explained that there is only one phone line and another party was already on the conference call. She said a conference call-in number would be provided for future meetings.

Tillson asked why sampling results were mentioned for both the C-746 S and U Landfills, but not for the C-746-T Landfill. Link said this was not mentioned in the meeting. Seaborg explained for waste packages with a less than a detectable trichloroethene (TCE) concentration, the concentration was assumed to be at the minimum level.

Donham asked if the Permeable Treatment Zone (PTZ) project had been dropped. Taylor said he was not aware of that decision. Seaborg said that the decision had not been made, since it is still part of ongoing negotiations. Waldrop said a company had a patent on the PTZ technology. Donham asked if the Groundwater Feasibility Study (FS) would have to be reworked if the PTZ project was abandoned. Taylor said he assumed the FS would have to be reworked. He said the state has only heard that the project has been delayed.

Waste Operations Task Force Report

Kemp said the task force has developed a list of questions to ask concerning various waste scenarios. She said that the task force would definitely need a conference call number for the regulators, as well as John Russell. Russell asked if videoconferencing is available. Kemp asked that the issue be examined. Seaborg said this could be accomplished at the Kevil facility for no charge.

Halsey said EPA has videoconferencing capabilities. Taylor said KDWM has video conferencing capabilities.

Tillson said questions are being developed based on the possible flow-out of waste streams.

Donham asked about the term "contained-in" waste. Taylor explained contained-in waste is an evaluation of environmental medium. As an example, he said if you place a drop of listed waste in a pool, the entire pool is listed waste. To exempt the material, you can use a sample that no longer shows risk and dispose of it at the facility. Some material is treated on a situational basis.

Donham asked about the procedure to make the contained-in determination. Taylor said regulators suggested a guideline for contained-in determination. Donham said different levels would have to be set for different contaminants.

Tillson said the decision to dispose of materials is based on risks and said he wondered

why material would be excavated if there is no risk. He said the move to excavate and sample does not meet Resource Conservation Recovery Act guidelines.

Long Range Strategy/Stewardship Task Force Report

Raper said the task force met on May 9 and discussed the proposal to send letters to Roberson and Murphie as noted in the earlier presentation.

Community Concerns Report

The subcommittee did not meet in May.

Public Involvement, Nomination and Membership Report

Halsey indicated that the June calendar was in the packet

Self-evaluation

Kay circulated the proposed self-evaluation forms for the board and asked for comments. **There were no objections to using the surveys.** Kay said the surveys would be distributed in non-draft form. Halsey said the board should proceed with the surveys during the summer months.

Review of Workplan

Donham asked if there were any ongoing public comment periods. Halsey said the public review period for Uranium Materials Programmatic Environmental Assessment is scheduled to begin soon.

Kay said the student presentations were previously added to the June agenda as a placeholder and asked the board if they were interested in a full presentation in June.

There were no objections to using the full presentations.

Halsey said the videoconference on Monday would be videotaped. Donham suggested a member report on the conference.

Link said any additional names of those wishing to attend would need to be submitted to headquarters, since the deadline had already passed. Waldrop asked if the conference would be an appropriate forum for questions about public involvement in the Top-To - Bottom review. Halsey said Roberson had asked for topics that would be discussed and was fairly sure this would be covered.

Federal Coordinator Comments

Halsey said the Agency for Toxic Substances and Disease Registry (ATSDR) report has been finalized and will be out in June. Seaborg said the events of September 11, 2001, have delayed the release.

Halsey announced that this would be Holder's last CAB meeting.

Raper discussed his tour of Yucca Mountain.

Pucket said there are many faults under Yucca Mountain and expressed his concern for surrounding Indian reservations. Raper said there was no mention of any nearby reservations. Donham said that the important issue is the shipment of "hot" waste and many environmental groups oppose these actions.

Meeting adjourned at 7:40 p.m.